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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
SHIGEKI NAKATSUKASA ET AL : ATTN: APPLICATION DIVISION  
SERIAL NO: NEW APPLICATION :  
FILED: HEREWITH :  
FOR: RESIN COMPOSITION AND :  
MULTILAYERED STRUCTURE

PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Prior to examination on the merits, please amend the above-identified application as follows:

IN THE CLAIMS

Please cancel all the claims and replace with the following new Claims 21-48:

21. (New) A resin composition which comprises a copolymer (A) comprising ethylene as a major component produced by using a single-site catalyst, and an ethylene-vinyl alcohol copolymer (B) having an ethylene content of 20 to 60 mol% and a degree of hydrolysis of 95% or above, wherein the ethylene-vinyl alcohol copolymer (B) contains a boron compound in an amount of 20 to 2000 ppm in terms of boron,

said resin composition satisfying the following equation (1):

$$1/99 \leq \{\text{weight of (A)}\}/\{\text{weight of (B)}\} \leq 99/1 \quad (1).$$

22. (New) The resin composition as claimed in Claim 21, wherein the copolymer (A) is an ethylene- $\alpha$ -olefin copolymer in which the  $\alpha$ -olefin has 3 to 8 carbon atoms.

23. (New) The resin composition as claimed in Claim 21, wherein the copolymer (A) is an ethylene- $\alpha$ -olefin copolymer in which the  $\alpha$ -olefin has an ethylene content of 50 wt.% or more.

24. (New) The resin composition as claimed in Claim 21, wherein the copolymer (A) has a molecular weight distribution (Mw/Mn) of not greater than 4.

25. (New) The resin composition as claimed in Claim 21, wherein the ethylene-vinyl alcohol copolymer (B) contains a phosphorus compound in an amount of 2 to 200 ppm in terms of phosphorus element.

26. (New) The resin composition as claimed in Claim 21, wherein the ethylene-vinyl alcohol copolymer (B) contains an alkali metal salt in an amount of 5 to 5000 ppm in terms of elemental alkali metal.

27. (New) The resin composition as claimed in Claim 21, wherein the copolymer (A) has a density of 0.90 to 0.94 g/cm<sup>3</sup> and the resin composition further comprises a carboxylic acid-modified polyolefin (C) and satisfies the following equations (2) and (3):

$$60/40 \leq \{\text{weight of (A)}\}/\{\text{weight of (B)}\} \leq 99/1 \quad (2)$$

$$0.1/99.9 \leq X \leq 20/80 \quad (3)$$

wherein  $X = \{\text{weight of (C)}\}/\{\text{total weight of (A) and (B)}\}$ .

28. (New) The resin composition as claimed in Claim 27, wherein resin particles comprising the ethylene-vinyl alcohol copolymer (B) and the carboxylic acid-modified polyolefin (C) are dispersed in a matrix of the copolymer (A), and have an average particle diameter not greater than 5  $\mu\text{m}$ .

29. (New) The resin composition as claimed in Claim 21, wherein a melt flow rate  $M_a$  of the copolymer (A) and a melt flow rate  $M_b$  of the ethylene-vinyl alcohol copolymer (B) satisfy the following equation (4):

$$0.05 \leq M_a/M_b \leq 5 \quad (4)$$

30. (New) The resin composition as claimed in Claim 21, which further comprises a hydrotalcite compound (D) in an amount of 0.0001 to 2% based on the total weight of (A) and (B).

31. (New) The resin composition as claimed in Claim 21, which further comprises a metal salt of higher aliphatic carboxylic acid (E) in an amount of 0.0001 to 2% based on the total weight of (A) and (B).

32. (New) A multilayered structure which comprises a layer of the resin composition as claimed in Claim 21, and a layer of an ethylene-vinyl alcohol copolymer having an ethylene content of 20 to 60 mol% and a degree of hydrolysis of 95% or above.

33. (New) The multilayered structure as claimed in Claim 32, which further comprises at least one layer comprising an ethylene- $\alpha$ -olefin copolymer produced by using a single-site catalyst and having a density of 0.90 to 0.94 g/cm<sup>3</sup>, in which the  $\alpha$ -olefin has 3 to 8 carbon atoms, and at least one layer comprising a carboxylic acid-modified polyolefin.

34. (New) The multilayered structure as claimed in Claim 32, which is formed by coextrusion.

35. (New) A resin composition which comprises a copolymer (A) comprising ethylene as a major component produced by using a single-site catalyst, and an ethylene-vinyl alcohol copolymer (B) having an ethylene content of 20 to 60 mol% and a degree of hydrolysis of 95% or above, said resin composition satisfying the following equation (1):

$$1/99 \leq \{\text{weight of (A)}\}/\{\text{weight of (B)}\} \leq 99/1 \quad (1)$$

36. (New) The resin composition as claimed in Claim 35, wherein the copolymer (A) is an ethylene- $\alpha$ -olefin copolymer in which the  $\alpha$ -olefin has 3 to 8 carbon atoms.

37. (New) The resin composition as claimed in Claim 35, wherein the copolymer (A) is an ethylene- $\alpha$ -olefin copolymer in which the  $\alpha$ -olefin has an ethylene content of 50 wt.% or more.

38. (New) The resin composition as claimed in Claim 35, wherein the copolymer (A) has a molecular weight distribution (Mw/Mn) of not greater than 4.

39. (New) The resin composition as claimed in Claim 35, wherein the ethylene-vinyl alcohol copolymer (B) contains a phosphorus compound in an amount of 2 to 200 ppm in terms of phosphorus element.

40. (New) The resin composition as claimed in Claim 35, wherein the ethylene-vinyl alcohol copolymer (B) contains an alkali metal salt in an amount of 5 to 5000 ppm in terms of elemental alkali metal.

41. (New) The resin composition as claimed in Claim 35, wherein the copolymer (A) has a density of 0.90 to 0.94 g/cm<sup>3</sup> and the resin composition further comprises a carboxylic acid-modified polyolefin (C) and satisfies the following equations (2) and (3):

$$60/40 \leq \{\text{weight of (A)}\}/\{\text{weight of (B)}\} \leq 99/1 \quad (2)$$

$$0.1/99.9 \leq X \leq 20/80 \quad (3)$$

wherein  $X = \{\text{weight of (C)}\}/\{\text{total weight of (A) and (B)}\}$ .

42. (New) The resin composition as claimed in Claim 41, wherein resin particles comprising the ethylene-vinyl alcohol copolymer (B) and the carboxylic acid-modified polyolefin (C) are dispersed in a matrix of the copolymer (A), and have an average particle diameter not greater than 5  $\mu\text{m}$ .

43. (New) The resin composition as claimed in Claim 35, wherein a melt flow rate  $M_a$  of the copolymer (A) and a melt flow rate  $M_b$  of the ethylene-vinyl alcohol copolymer (B) satisfy the following equation (4):

$$0.05 \leq M_a/M_b \leq 5 \quad (4)$$

44. (New) The resin composition as claimed in Claim 35, which further comprises a hydrotalcite compound (D) in an amount of 0.0001 to 2% based on the total weight of (A) and (B).

45. (New) The resin composition as claimed in Claim 35, which further comprises a metal salt of higher aliphatic carboxylic acid (E) in an amount of 0.0001 to 2% based on the total weight of (A) and (B).

46. (New) A multilayered structure which comprises a layer of the resin composition as claimed in Claim 35, and a layer of an ethylene-vinyl alcohol copolymer having an ethylene content of 20 to 60 mol% and a degree of hydrolysis of 95% or above.

47. (New) The multilayered structure as claimed in Claim 46, which further comprises at least one layer comprising an ethylene- $\alpha$ -olefin copolymer produced by using a single-site catalyst and having a density of 0.90 to 0.94 g/cm<sup>3</sup>, in which the  $\alpha$ -olefin has 3 to 8 carbon atoms, and at least one layer comprising a carboxylic acid-modified polyolefin.

48. (New) The multilayered structure as claimed in Claim 46, which is formed by coextrusion.

#### DISCUSSION OF THE AMENDMENT

All of the claims have been cancelled and replaced with new Claims 21-48. Claims 21-34 all require the presence of a boron compound, as supported in the specification at page 16, lines 10-16. These claims are otherwise supported by the original claims, except that

Claim 23 is supported at page 9, lines 14-18 and Claim 26 is supported at page 17, lines 20-25. Claims 35-48 are supported by the original claims, except that Claim 37 is supported at page 9, lines 14-18, and Claim 40 is supported at page 17, lines 20-25.

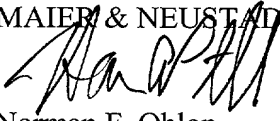
No new matter has been added by the above amendment. Claims 21-48 are now pending in the application.

REMARKS

The application is now ripe for examination on the merits. An early examination is respectfully solicited.

Respectfully submitted,

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<b>Marked-Up Copy</b>
Serial No: <u>new App</u>
Amendment Filed on: <u>Herewith</u>

IN THE CLAIMS

Claims 1-20 (Cancelled).

Claims 21-48 (New).